

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 98-226-E - ORDER NO. 98-572

JULY 24, 1998

IN RE: Application of Carolina Power & Light
Company for Approval to Terminate its EZ-
\$64 Residential Load Control Program.

) ORDER GRANTING ✓
) INTERVENTIONS AND
) SETTING HEARING
) AND PREFILING
) DEADLINES

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Carolina Power & Light Company (CP&L or the Company) for approval to terminate its EZ-\$64 Residential Load Control Program. Nucor Steel has filed a Petition to Intervene, CP&L has filed a Motion to Deny Nucor Steel's Petition to Intervene, and the Consumer Advocate for the State of South Carolina (the Consumer Advocate) has filed a Petition to Intervene Out-of-Time.

CP&L filed an Application with this Commission requesting permission to terminate the program effective January 1, 1999. Pursuant to this program, CP&L is allowed to control program participants' water heaters and/or air conditioning units (residential customers) during times of peak demand. If a customer allows CP&L to control both of these appliances, the customer will receive an annual credit in the amount of \$64. CP&L requests permission to terminate this program.

Nucor Steel states that it is a large customer of CP&L, that CP&L has proposed a rate increase by proposing to drop the \$64 credit, and that it is interested in the

replacement resources that CP&L will use to offset the elimination of the program. CP&L opposes the intervention by stating that Nucor Steel does not state sufficient interest to be allowed to intervene, because, among other things, Nucor Steel is not a residential customer. We disagree. We believe that Nucor states sufficient interest and should be allowed to intervene in the case. Any program which results in a rate increase to even a small group of customers could possibly affect the amounts paid by the various classes of customers of the utility. We therefore grant Nucor Steel's Petition to Intervene and deny CP&L's Motion to Deny that intervention. Because of the matters stated above, we also hold that a hearing shall be set in this matter. Further, Staff is to contact all consumers who contacted the Commission concerning this matter to let them know the date and time of the hearing.

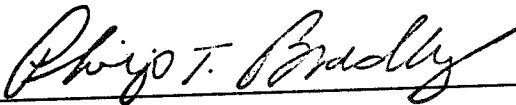
The Consumer Advocate has filed a Petition to Intervene Out-of-Time. The Consumer Advocate states that, given the issues raised by Nucor Steel, he feels he needs to participate in this case, since Nucor Steel only represents its own interests as an industrial customer. The Consumer Advocate represents the interests of the residential customers. We grant this Petition also, since it will not delay the proceedings.

This matter is also before the Commission for the purpose of establishing pre-filing deadlines for testimony and exhibits. Pursuant to 26 S.C. Regs. 103-869(C)(Supp.1997), the Commission hereby orders that twenty-five copies of the testimony and exhibits of the Applicant shall be prefiled on or before **November 4, 1998**, and that twenty-five copies of the testimony and exhibits of the Commission Staff and/or intervenors shall be pre-filed on or before **November 18, 1998**. In addition, parties shall

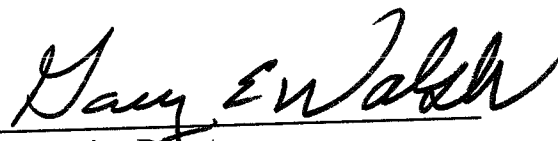
serve their pre-filed testimony and exhibits on all other parties of record as required by the Commission's Rules and Regulations. All parties are reminded that all witnesses must be present during any hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses' testimony to be read into the record of the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

Please take notice that any party requesting modification of this schedule must file a request for such modification with the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Acting Executive Director

(SEAL)